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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,059	10/21/2003	Jeannette N. Sutherland	004-9303	3488

42714 7590 02/28/2006

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EXAMINER

WANG, ALBERT C

ART UNIT

PAPER NUMBER

2115

DATE MAILED: 02/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/690,059	<b>Applicant(s)</b> SUTHERLAND ET AL.	
	<b>Examiner</b> Albert Wang	<b>Art Unit</b> 2115	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-9 and 25-45 is/are allowed.
- 6) ☒ Claim(s) 10 and 17 is/are rejected.
- 7) ☒ Claim(s) 11-16 and 18-24 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                                                           |                                                                                         |
|-------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                               | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                                      | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/04</u> . | 6) <input type="checkbox"/> Other: ____.                                                |

### **DETAILED ACTION**

1. Original claims 1-45 are pending.

#### ***Claim Objections***

2. Claims 10 and 17 are objected to because of the following informalities: a preamble is lacking. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 10 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Collins, Jr., U.S. Pub. No. 2003/0192020 ("Collins"), in view of Grodstein et al., U.S. Patent No. 5,355,321 ("Grodstein")

As per claim 10, Collins teaches a technique for use in static timing analysis of a circuit employing a transmit clock and a receive clock having different frequencies, the technique to account for a phase difference between the transmit clock and the receive clock (figs. 1 & 4; pars. 42 & 43).

However, Collins does not expressly teach that both transmit and receive clocks are related to a frequency of a common reference clock. Grodstein teaches that subsystem clocks are often derived from the same primary clock by frequency dividing (fig. 6; col. 5, lines 38-50). At the time of the invention, it would have been obvious to one of ordinary skill in the art to derive

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the transmit and receive clocks from a common reference clock in the manner of Grodstein, as frequency dividing for subsystem clocks is well known in the art.

As per claim 17, Collins teaches a technique for use in static timing analysis of a circuit employing a transmit clock and a receive clock having different frequencies, the technique to determine a test edge difference corresponding to worst case slack without enumerating triggering events of the transmit clock and the receive clock (figs. 1 & 4; pars. 42 & 43).

However, Collins does not expressly teach that both transmit and receive clocks are related to a frequency of a common reference clock. Grodstein teaches that subsystem clocks are often derived from the same primary clock by frequency dividing (fig. 6; col. 5, lines 38-50). At the time of the invention, it would have been obvious to one of ordinary skill in the art to derive the transmit and receive clocks from a common reference clock in the manner of Grodstein, as frequency dividing for subsystem clocks is well known in the art.

#### ***Allowable Subject Matter***

5. Claims 1-9 and 25-37 are allowed.
6. Claims 11-16 and 18-24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***

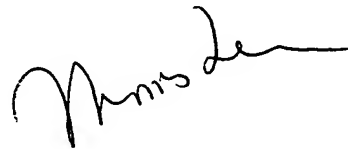
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Albert Wang whose telephone number is 571-272-3669. The examiner can normally be reached on M-F (9:30 - 6:00).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas C. Lee can be reached on 571-272-3667. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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